

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JL* D.C.
05 OCT 31 AM 11:46

UNITED STATES OF AMERICA

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

Plaintiff

VS.

BARRY FERGUSON (c)

CR. NO. 04-20289-B

Defendant.

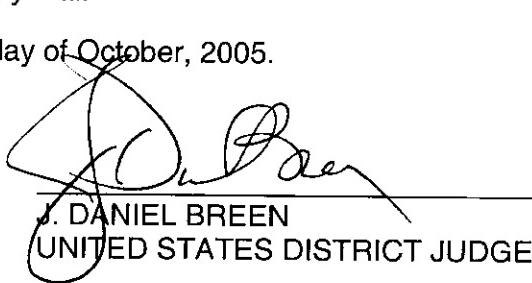
ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY
AND SETTING

This cause came on for a report date on August 29, 2005. At that time, counsel for the defendant requested a continuance of the trial date in order to allow for additional preparation in the case.

The Court granted the request and reset the trial date to November 7, 2005 with a report date of Monday, October 31, 2005. A Motion to Suppress Evidence has since been filed and a Suppression Hearing/Report Date is set for December 8, 2005 at 2:00 p.m., in Courtroom 1, 11th Floor of the Federal Building, Memphis, TN.

The period from November 18, 2005 through December 16, 2005 is excludable under 18 U.S.C. § 3161(h)(8)(B)(iv) because the ends of justice served in allowing for additional time to prepare outweigh the need for a speedy trial.

IT IS SO ORDERED this 28 day of October, 2005.


J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCrP on 10-31-05

(68)



Notice of Distribution

This notice confirms a copy of the document docketed as number 68 in case 2:04-CR-20289 was distributed by fax, mail, or direct printing on October 31, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT